IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

RP.No. 504 of 2006()
IN
W.A.NO.1983 OF 1997 (D)

AGAINST THE JUDGEMENT/ORDER IN WA.1983/1997
DATED 10.3.2006
.....

REVIEW PETITIONERS/APPELLANTS 1 TO 4 IN W.A.1983/97
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1. **THE STATE OF KERALA,**
   REP. BY THE CHIEF SECRETARY,
   SECRETARIAT, THIRUVANANTHAPURAM.

2. **THE TAHSILDAR,**
   TALUK OFFICE, ALATHUR.

3. **THE DISTRICT SCHEDULED CASTE DEVELOPMENT**
   OFFICER, PALAKKAD.

4. **THE DIRECTOR OF MEDICAL EDUCATION,**
   THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.C.T.RAVIKUMAR

RESPONDENTS/RESPONDENTS 1 TO 6 IN W.A.1983/97:
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1. **N.MADHAVAN, MAMPAD,**
   KIZHAKKANCHERRY, ALATHUR TALUK,
   PALAKKAD.

2. **SMT.RUGMINI, D/O.N.MADHAVAN,**
   SRISHAILAM, 9/33, HIGHWAY GARDEN,
   CHANDRA NAGAR, PALAKKAD.

3. **DR.M.BALAKRISHNAN, S/O.LATE N.MADHAVAN,**
   EYE HOSPITAL NO.26 & 27, 70 FEET ROAD,
   KAVERI NAGAR, CHENNAI.

4. SMT.M.USHAKUMARI,
W/O.DEVANANDAN, ATTUPURAKKAL HOUSE,
VETTIKKARA, KADAMPAZHIPURAM, PLAKKA.

5. SMT.SATHYABHAMA,
W/O.M.T.SURESH, 312 B RAILWAY COLONY,
OLAVAKKODE.

6. SRI.M.ASOKAN,
S/O.LATE MADHAVAN,
P.O.BOX NO.80613, DUBAI, UAE.

BY ADV. SRI.S.EASWARAN

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 28/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

R.P.NO.504 OF 2006

IN

W.A.NO.1983 OF 1997 (D)

Dated this the 28th day of February, 2007

O R D E R

KOSHY,J.

There is no ground to review the judgment as while disposing of the case, we only followed the decision of the Apex Court and the appeal is accordingly dismissed. The contention of the State that even though a person is a thandan he should be classified along with Ezhava O.B.C. was not accepted by the Supreme Court as thandan caste is a declared Schedule caste and no further probe can be conducted. In any event there is no merit in the review petition. A review petition cannot be equated to an appeal petition or a petition to rehear the matter. Accordingly this review petition is dismissed.

J.B.KOSHY, JUDGE

K.P.BALACHANDRAN, JUDGE

prp

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

O.P.NO. OF 2006 ()

J U D G M E N T

1th January, 2007